

GOVERNMENT OF ANDHRA PRADESH  
ABSTRACT

Police – Petition of Sri D.Nooka Raju, Police Constable 589, 5th Battalion, A.P.S.P., against the three penalties, i.e. (1) PPI for two years with cumulative effect (C.No.122/PR/96), (2) PPI for two years with cumulative effect (C.No.18/PR/98) and (3) PPI for one year with cumulative effect (C.No.30/PR/99) – Modified – Orders - Issued.

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HOME (SERVICES – II) DEPARTMENT

G.O.Rt.No. 1414

Dated 17.08.2009  
Read the following:

- 1) From Sri D.Nooka Raju, Police Constable 589, 5th Battalion, A.P.S.P., petition dated 11.09.2008.
- 2) Govt. Memo.No.29981/Ser.II/A2/2008-1, Home, dated 29.09.2008.
- 3) From the Director General of Police, A.P., Hyderabad ,  
Lr.Rc.No.1687/Appeal-4/2008, dated 12.02.2009.

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ORDER:

In the reference 1<sup>st</sup> read above, Sri D.Nooka Raju, Police Constable 589, 5th Battalion, A.P.S.P., has requested to set aside the three penalties, i.e. (1) PPI for two years with cumulative effect (C.No.122/PR/96) (2) PPI for two years with cumulative effect (C.No.18/PR/98) and (3) PPI for one year with cumulative effect (C.No.30/PR/99), on humanitarian grounds.

2. The Director General of Police, Andhra Pradesh, Hyderabad, in his letter 3<sup>rd</sup> read above, has furnished the details of the three penalties imposed against Sri D.Nooka Raju, Police Constable 589, 5th Battalion, A.P.S.P., as stated below:

Sl. No.	Charges	Punishment	Appeal/ Revision petitions
(1)	“That he deserted the force with effect from 27.8.1996”.	The Commandant, 5 <sup>th</sup> Bn., APSP, duly following the procedure under A.P.C.S. (CC&A) Rules held the charge as proved and imposed the punishment of “ <b>PPI for two years with effect</b> on future increments and pension, treating the period of extended leave from 13.8.96 to 26.8.96 as ‘ELFP’, the period of absence w.e.f. 27.8.96 F.N. to 31.12.96 F.N. as ‘LWP’ and the period of suspension from 31.12.1996 A.N. to 01.02.97 A.N. as ‘Not on Duty’” vide proceedings No.122/PR/96, dated 21.2.1998.	Appeal petition was rejected by the DIG of Police-IV, APSP Bns., Kakinada, vide proceedings No.33/Apl/2002 , dated 02.10. 2002. Revision petition was rejected by the IGP, APSP Bns., Hyderabad, vide proceedings No.20/Rev/A3/2 003, dated 02.7. 2003.

(2)	“That on 08.2.98 at 0600 hours, he was passported to ‘F’ Coy from Bn. Hqrs., Vizianagaram then stationed at Rampachodavaram, he got down in the middle of Visakhapatnam and thereby absented himself without leave or permission and later declared as deserter w.e.f. 9.2.98 F.N. ”	The Commandant, 5 <sup>th</sup> Bn., APSP, duly following the procedure under A.P.C.S. (CC&A) Rules held the charge as proved and imposed the punishment of “ <b>PPI for two years with effect</b> on future increments and pension, treating the period of desertion/ absence as eligible leave and the period of suspension from 17.3.98 to 17.7.98 as ‘not on duty’” vide proceedings No.18/PR/98, dated 18.1.1999.	Appeal petition was rejected by the DIG of Police-IV, APSP Bns., Kakinada, vide proceedings No.1/Apl/2003, dated 14.3.2003.
(3)	“That he deserted the force with effect from 10.2.1999 without leave or permission”.	The Commandant, 5 <sup>th</sup> Bn., APSP, duly following the procedure under A.P.C.S. (CC&A) Rules held the charge as proved and imposed the punishment of “ <b>PPI for one year with effect</b> on future increments and pension, treating the period of suspension as ‘not on duty’, i.e. from 25.8.99 to the date of reporting for duty” vide proceedings No.30/PR/99, dated 29.9.1999.	Appeal petition was rejected by the DIG of Police-IV, APSP Bns., Kakinada, vide proceedings No.34/Apl/2002, dated 02.10.2002. Revision petition was rejected by the IGP, APSP Bns., Hyderabad, vide proceedings No.21/Apl/2003, dated 02.7.2003.

3. Government, after careful examination of the entire matter with the material made available by the Director General of Police, A.P., Hyderabad, taking a lenient view, hereby modify the three penalties of Sri D.Nooka Raju, Police Constable 589, 5<sup>th</sup> Battalion, A.P.S.P., as stated below:

S.No.	Penalty	Modified to that of
(1)	Postponement of Increment for two years <b>with</b> effect on future increments and pension (C.No.122/PR/96)	Postponement of Increment for two years <b>without</b> effect on future increments and pension.
(2)	Postponement of Increment for two years <b>with</b> effect on future increments and pension (C.No.18/PR/98)	Postponement of Increment for two years <b>without</b> effect on future increments and pension.
(3)	Postponement of Increment for one year <b>with</b> effect on future increments and pension (C.No.30/PR/99)	Postponement of Increment for one year <b>without</b> effect on future increments and pension.

Contd...3

4. The Director General of Police, A.P., Hyderabad, is requested to take further necessary action in the matter. The records received in the reference 3<sup>rd</sup> read above, are herewith returned and the receipt of the same should be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

AJAY MISRA  
PRINCIPAL SECRETARY TO GOVERNMENT

To  
The Director General of Police, A.P., Hyderabad (with records).  
Copy to  
The Individual concerned (through Director General of Police, Andhra Pradesh).  
SC / SF

// FORWARDED : : BY ORDER //

SECTION OFFICER